

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: ZELKHA=6

In re Application of:) Confirmation No.: 5871
Morris ZELKHA et al.) Examiner: HELEN F. PRATT
Appln. No. 10/525,064) Art Unit: 1794
IA Appln. No. PCT/IL03/00678) Washington, D.C.
IA Filed: August 17, 2003)
For: INDUSTRIAL TOMATO PROCESS) August 3, 2009
AND PRODUCT OBTAINED)
THEREOF) *MONDAY*

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Issue Fee
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314

Sir:

This Information Disclosure Statement (IDS) is submitted in accordance with 37 CFR §§1.97 and 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed concurrently here with the filing of a Request for Continued Examination (RCE), and before the mailing date of a first office action on the merits thereof following the RCE filing.

[] 2. Documents 5-7 are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant provides an English-language abstract for each attached here with.

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[] 3. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[] A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR §1.98(c), a copy of each of the former document(s) is not enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120.

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b from the files of the prior application(s) (or a new BN/SB/08A and/or BN/SB/08B listing these documents) and request that they be considered and made of record in accordance with 37 CFR §1.98(d).

Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

[] 5. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[] 6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is

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considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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